

Atty. Dkt. No. 053969-0132

Applicant: Hisao Furukawa

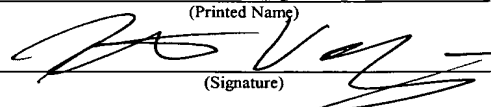
Title: STEREO IMAGE PROCESSING
APPARATUS AND METHOD OF
PROCESSING STEREO IMAGE

Appl. No.: 09/986,358

Filing Date: 11/08/2001

Examiner: John B. Strege

Art Unit: 0625

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 445625095 US (Express Mail Label Number)	February 22, 2005 (Date of Deposit)
Ruthie Vallejo (Printed Name)	
 (Signature)	

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

The undersigned hereby states in accordance with 37 CFR §1.704(d) that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of the information disclosure statement.

RELEVANCE OF EACH DOCUMENT

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Examiner in the corresponding Japanese patent application has commented as follows:

(Regarding Claims 1, 8, 15, 20, 27, 34, 41, 48, 53, 60, and 67–71) Literature 1 describes how, when establishing the correspondence between a stereo aerial photograph and the outline of a specific object on a map and determining the elevation thereof, if the elevation of the area corresponding to the outline is not constant, the mean value or the elevation of the center of gravity of that area is used (see Literature 1, (0011), etc.). Furthermore, Literature 2 is found to describe the same thing (see Literature 2, (0045) to (0047), etc.). Thus, the “external shape information” and “correcting errored data to be corrected, including at least noise and dropouts in the three-dimensional data” of the present application correspond to the “outline of a specific object on a map” and “using the mean value or the elevation of the center of gravity of the area if the elevation of the area corresponding to the outline is not constant” in Literature 1 and Literature 2 respectively). Therefore, no inventive step is found in the invention according to the aforementioned claims. (Regarding Claims 2–7, 9–14, 16–19, 21–26, 28–33, 35–40, 42–47, 49–52, 54–59, and 61–66) Literature 3 describes generating a histogram from a range image (= three-dimensional data) and correcting the noise components contained in the range image according to said histogram (see Literature 3, (0019), (0050), and Figure 7). Thus, applying the histogram-based correction technique described in Literature 3 to remove noise components

contained in three-dimensional data when associating an outline with three-dimensional data and determining the

elevation of an object in Literature 1 or Literature 2 is something which could be easily accomplished by a person skilled in the art. As described in Literature 4, associating area information comprised in map data with a satellite photograph or the like and extracting stereo information relating to said area information from the satellite image is a well known matter (see Literature 2, (0035), etc.), and doing this when computing the three-dimensional data as described in Cited Literature 1 or 2 does not go beyond a matter which could be suitably accomplished at the time of implementation by a person skilled in the art. Therefore, no inventive step is found in the inventions according to the aforementioned claims.

Record of Prior Art Literature Search Results

- Fields searched

IPC 7th Edition

G06T 1/00

- Prior Art Literature

Japanese Unexamined Patent Application Publication H03-167678

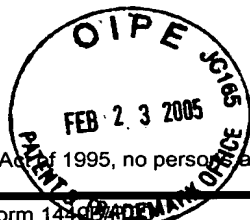
Japanese Unexamined Patent Application Publication H11-328378

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 22 February 2005
FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5407
Facsimile: (202) 672-5399

By David A. Blumenthal 36,489
FAC David A. Blumenthal
Attorney for Applicant
Registration No. 26,257



Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1440-0101 INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: February 22, 2005 (use as many sheets as necessary)				Complete if Known	
				Application Number	09/986,358
Sheet 1 of 1				Filing Date	11/08/2001
				First Named Inventor	Hisao Furukawa
				Group Art Unit	2625
				Examiner Name	John B. Strege
				Attorney Docket Number	053969-0132

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	6,470,265 B1		Tanaka	October 22, 2002	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A2	JP	2000-105814	A	Sumitomo Electric Ind.Co.	April 11, 2000		
	A3	JP	11-339074	A	Mitsubishi Electric Corp.	December 10, 1999		
	A4	JP	11-328378	A	Hitachi LTD.	November 30, 1999		
	A5	JP	11-248446	A	Fuji Heavy Ind. Ltd.	September 17, 1999		
	A6	JP	11-184375	A	Toyota Jidosha KK	July 9, 1999		
	A7	JP	3-167678		Asia Kosoku KK	July 19, 1991		

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.		

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.